

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/19/2024

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Michael Thomas,

Plaintiff,

-v-

Commissioner of Social Security,

Defendant.
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23-cv-04642 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

Counsel for Plaintiff Michael Thomas moves for attorneys' fees totaling \$5,400 as compensation under the contingency fee agreement he entered into with the Plaintiff. Dkt. No. 15. On December 3, 2024, Magistrate Judge Gorenstein issued a Report and Recommendation recommending that the Court grant counsel's motion for an award of \$5,400 and to order the return to Plaintiff of the \$1,445.40 counsel previously received pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412. *See* Dkt. No. 20.

In reviewing a Magistrate Judge's Report and Recommendation, a district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). Parties were given the opportunity to raise timely objections to the report and recommendation within fourteen days. *Id.* The Court reviews any portion of the report subject to an objection de novo. Fed. R. Civ. P. 72(b) Advisory Committee Notes; *Colvin v. Berryhill*, 734 F. App'x 756, 758 (2d Cir. 2018).

No party has objected to Magistrate Judge Gorenstein's Report and Recommendation. The Court accordingly adopts in its entirety the well-reasoned Report and Recommendation for the reasons stated by Judge Gorenstein therein, and grants counsel's motion for an award of

\$5,400, and orders the return to Plaintiff of the \$1,445.40 previously received by counsel pursuant to the EAJA.

The Clerk of Court is respectfully directed to close the case.

SO ORDERED.

Dated: December 19, 2024
New York, New York

A handwritten signature in black ink, appearing to read 'L. Liman', is written over a horizontal line.

LEWIS J. LIMAN
United States District Judge